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11 *Attorneys for Plaintiff/Counterdefendant Righthaven LLC*

12  
13 **UNITED STATES DISTRICT COURT**  
14 **DISTRICT OF NEVADA**  
15

16  
17 RIGHTHAVEN LLC, a Nevada limited-  
liability company,  
18  
19 Plaintiff,  
20  
21 v.  
22 DEMOCRATIC UNDERGROUND, LLC, a  
District of Columbia limited-liability  
23 company; and DAVID ALLEN, an individual,  
24  
25 Defendants.

26 DEMOCRATIC UNDERGROUND, LLC, a  
District of Columbia limited-liability  
27 company,  
28  
Counterclaimant,

Case No.: 2:10-cv-01356-RLH-RHH  
**DECLARATION OF JOSEPH C. CHU IN  
SUPPORT OF  
PLAINTIFF/COUNTERDEFENDANT’S  
MOTION FOR VOLUNTARY  
DISMISSAL WITH PREJUDICE AND  
ADJUDICATION OR DISMISSAL OF  
COUNTERCLAIM**

1 v.

2 RIGHTHAVEN LLC, a Nevada limited-  
3 liability company; and STEPHENS MEDIA  
4 LLC, a Nevada limited-liability company,

5 Counterdefendants.

6  
7 I, Joseph C. Chu, declare, under penalty of perjury, that the following is true and correct:

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9  
10 1. I am an attorney-at-law admitted to practice in all courts of the State of Nevada. I  
11 have personal knowledge of the facts set forth below, except for those factual statements  
12 expressly made upon information and belief, and as to those facts, I believe them to be true. I am  
13 over eighteen years old and I am competent to testify to the matters set forth herein.

14 2. I represent Plaintiff/Counterdefendant Righthaven LLC (“Righthaven”), in the  
15 capacity of staff attorney, in the above-referenced matter.

16 3. As of November 15, 2010, sixty-nine (69) Righthaven-initiated copyright actions  
17 are pending before the United States District Court for the District of Nevada (the “District of  
18 Nevada”).

19 4. Of the sixty-nine (69) Righthaven-initiated copyright actions currently pending in  
20 the District of Nevada, four (4) of said actions arise from the textual reproduction of less than  
21 75% of an entire Righthaven-owned literary work.

22 5. Of the sixty-nine (69) Righthaven-initiated copyright actions currently pending in  
23 the District of Nevada, fifty-one (51) of said actions arise from the holistic textual reproduction  
24 of an entire Righthaven-owned literary work.

25 6. As of November 15, 2010, all settlements reached between Righthaven and  
26 Righthaven copyright defendants have been, and are, subject to strict confidentiality provisions.  
27 Therefore, specific information concerning said settlement figures cannot be disclosed absent  
28 court order.

1 Signed and affirmed this fifteenth day of November, 2010 under the pains and penalties  
2 of perjury of the State of Nevada and of the United States of America.

3  
4 /s/ Joseph C. Chu  
5 JOSEPH C. CHU, ESQ.  
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**CERTIFICATE OF SERVICE**

1 Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that I am an employee  
2 of Righthaven LLC and that on this fifteenth day of November, 2010, I caused the  
3 **DECLARATION OF JOSEPH C. CHU IN SUPPORT OF**  
4 **PLAINTIFF/COUNTERDEFENDANT'S MOTION FOR VOLUNTARY DISMISSAL**  
5 **WITH PREJUDICE AND ADJUDICATION OR DISMISSAL OF COUNTERCLAIM** to  
6 be served by the Court's CM/ECF system.

7  
8 By: /s/ J. Charles Coons

9 J. CHARLES COONS, ESQ.  
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11 9960 West Cheyenne Avenue, Suite 210  
12 Las Vegas, Nevada 89129-7701  
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